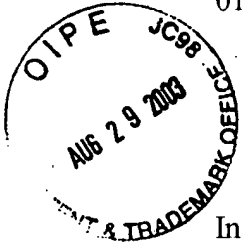


01272.020421

PATENT APPLICATION



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

MIYUKI FUJITA, ET AL.

Appln. No.: 09/639,743

Filed: August 15, 2000

For: AN ADJUSTMENT METHOD OF  
PRINTING POSITIONS, A PRINTING  
APPARATUS AND A PRINTING  
SYSTEM

Examiner: C. Nolan Jr.

Group Art Unit: 2854

August 29, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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RESPONSE TO RESTRICTION REQUIREMENT

Sir:

Applicants respectfully traverse the restriction requirement set forth in the Office Action mailed July 29, 2003.

The Examiner has stated that the inventions of Group I (Claims 1-11 and 25-40) and Group II (Claims 12-24 and 41-54) are patentably distinct from each other as being related as process and apparatus for its practice. The Examiner has suggested that the two inventions are distinct because the apparatus as claimed can be used to practice another and materially different process. The Examiner suggested that the apparatus and

system of Group II can be practiced in a cd recorder. This reasoning is respectfully traversed.

First, a review of all the claims in Group II would show that at least some of the claims cannot reasonably be considered to be practiced in a cd recorder. Note, for example, that independent Claims 21 and 24 recite a plurality of nozzles for ejecting ink for forming an image and independent Claims 41, 47 and 51 recite a plurality of ink ejection openings. These claims cannot be considered to be practiced in a cd recorder. Thus, the Examiner has not shown that all of the claims of Group II can be used to practice another and materially different process.

Further, many of the claims of Group II parallel the claims of Group I. For example, although Claim 1 is directed to a print position adjusting method reciting several steps, the printing apparatus of Claim 12 recites several means having functions similar to the steps of Claim 1.

Moreover, Applicants respectfully submit that the two groups of claims are closely related and that a proper search of any of the claims of one group would likely include a search of the claims of the other group. Thus, it is submitted that all of the claims can be searched simultaneously and that a duplicative search with possibly inconsistent results may occur if the restriction requirement is maintained.

Therefore, in the interest of economy, both for the Office and Applicants, withdrawal of the restriction requirement is respectfully solicited.

Nevertheless, in order to comply with the requirements of 37 CFR 1.143, Applicants provisionally elect the claims of Group I, namely Claims 1-11 and 25-40.

Favorable consideration is requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
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